GHAJAR
EXHIBIT 55

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY - PURSUANT TO PROTECTIVE ORDER

1

2   UNITED STATES DISTRICT COURT

3   NORTHERN DISTRICT OF CALIFORNIA

4   SAN FRANCISCO DIVISION

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6   ------------------------------------x

7   RICHARD KADREY, et al.,

8   Individual and Representative,

9   Plaintiffs,

10   v.   Case No.

11   META PLATFORMS, INC.,   3:23-cv-03417-VC

12   a Delaware corporation,

13   Defendant.

14   ------------------------------------x

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16   HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

17   PURSUANT TO PROTECTIVE ORDER

18

19   VIDEOTAPED DEPOSITION of

20   DAVID CHOFFNES, Ph.D.

21   Boston, Massachusetts

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24   Reporter: Michael D. O'Connor, RMR, CRR, CRC

25   Job No. 7281431

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7   Friday, March 28, 2025

8   9:34 a.m.

9

10   HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

11   PURSUANT TO PROTECTIVE ORDER

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13   VIDEOTAPED DEPOSITION of DAVID

14   CHOFFNES, Ph.D., held at Cooley LLP, 50

15   Boylston Street, Boston, Massachusetts,

16   pursuant to notice, before Michael D.

17   O'Connor, Registered Merit Reporter,

18   Certified Realtime Reporter, Certified

19   Realtime Captioner.

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1	A. I'm there.	11:16:34
2	Q. Thank you, sir. In connection	11:16:35
3	with your report, you provide certain	11:16:37
4	probabilities that you believe are relevant to	11:16:41
5	whether or not Meta shared a piece in	11:16:44
6	Plaintiffs' work, correct?	11:16:49
7	A. Correct.	11:16:51
8	Q. In Table 2, one of the factors you	11:16:51
9	used was the "Hours Leeching," correct?	11:16:54
10	A. Yes, correct.	11:16:57
11	Q. By "leeching," we're talking about	11:17:02
12	the period of time when Meta was downloading	11:17:03
13	the torrent, correct?	11:17:06
14	A. Correct.	11:17:08
15	Q. Your probabilities, correct me if	11:17:08
16	I'm wrong, do not take into account a period of	11:17:13
17	time, if any, that Meta was seeding, correct?	11:17:16
18	A. Correct.	11:17:19
19	Q. Dr. Choffnes, the data sets at	11:17:19
20	issue here, you understand were Internet	11:18:36
21	Archive, Z-Lib and portions of Libgen, correct?	11:18:41
22	A. By "at issue here," what are you	11:18:47
23	referring? In what context are you referring?	11:18:49
24	Q. The data sets that you contend	11:18:52
25	there was some probability of uploading by	11:18:54

Page 73

1   Q.   Understood. And that's spread out   12:49:45

2   among 13 Plaintiffs, correct?   12:49:50

3   A.   Actually, I don't know the exact   12:49:52

4   number of Plaintiffs either. But again, if   12:49:53

5   it's helpful, we can sort of assume that for   12:49:56

6   now.   12:49:58

7   Q.   Okay. Now, when you say that   12:49:58

8   "Meta shared at least one piece of Plaintiffs'   12:50:07

9   works," is there a particular work that   12:50:10

10 probability relates to?   12:50:16

11   MR. STEIN: Object as to form.   12:50:17

12   A.   So the probability analysis   12:50:19

13 doesn't pinpoint which work was shared. It   12:50:21

14 just indicates the likelihood that at least one   12:50:25

15 of those works was shared.   12:50:29

16   Q.   Understood. But you hadn't   12:50:31

17 provided an opinion as to the probability that   12:50:35

18 Meta shared at least one piece of each of the   12:50:37

19 Plaintiffs' works, correct?   12:50:42

20   MR. STEIN: Object as to form.   12:50:46

21   A.   That wasn't the scope of my   12:50:47

22 analysis. The scope of my analysis was at   12:50:48

23 least one piece of at least one Plaintiff's   12:50:50

24 works.   12:50:52

25   Q.   Understood. And then how about at   12:50:53

Page 106

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1                    C E R T I F I C A T E

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3            I, Michael O'Connor, Registered

4    Merit Reporter/Certified Realtime Reporter,

5    do hereby certify:

6            That DAVID R. CHOFFNES, Ph.D., the

7    witness whose testimony is hereinbefore set

8    forth, was duly sworn by me and that such

9    testimony is a true and accurate record of

10   my stenotype notes taken in the foregoing

11   matter to the best of my knowledge, skill

12   and ability.

13           IN WITNESS WHEREOF, I have hereunto

14   set my hand and Notarial Seal this 30th day

15   of March 2025.

16

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18           Michael O'Connor

19           MICHAEL O'CONNOR, RMR, CRR, CRC

20                    Notary Public

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23   My Commission expires:

24   November 9, 2029

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